REMARKS

Claims 1 - 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,035,323 to Narayen et al in view of Netscape Communication 4.75 Software. The Applicants respectfully traverse this rejection.

Narayen et al. describes a system and apparatus for publishing a collection of digital media to the Internet using a picture management software. The Narayen reference describes the automatic creation of a selectable media container when a digital media is provided to the system. Narayen Column 8, line 26 states that "The signatures represent the content of each of the images in the media container...". The signature is a standard numerical 'tag' that is used as a proxy for the actual image.

The Netscape reference describes a browser for viewing items on the Internet.

The independent claims now make clear that a media object identifier includes a graphic user interface for acquiring media objects. For this reason, the signature discussed in Narayen can not be considered to be a "media object identifier".

New Claim 15 reads as follows:

15.   A method comprising the steps of:

accessing at least one media object identifier, the media object identifier being embedded within a third-party web site, the media object identifier including a graphical user interface for acquiring media objects;

associating a media object with the media object identifier;

in response to the associating step, automatically pre-processing the media object for the requirements of the third-party web site, the pre-processing being done without additional user input; and

associating the pre-processed media object with a web page of the third-party web site.

New Claim 25 reads as follows:

25.   Software comprising:

a media object identifier configured such that it can be embedded within a third-party web site, the media object identifier including a graphical user interface for acquiring media objects, the media object identifier configured to allow the association of a media object with the media object identifier; the media object identifier configured, in response to an association of a media object with the media object identifier, to automatically pre-process the media object for the requirements of the third-party web site, the pre-processing being done without additional user input.

Claims 15 and 25 state that the media object identifier, which includes a graphical user interface for acquiring media objects, is embedded within a third-party web site. Having a media object identifier embedded within a third-party web site is not shown or described in Narayen. Furthermore, Claims 15 and 25 state that the media objects can be associated with a media object identifier and, in response to the associating step automatically pre-processing of the media object for the requirements of the third-party web site without additional user input.

The claimed ability to embed the media object identifier within a third-party web site allows the third-party web site to use a media object identifier but still have control of the construction and operation of the web page. This allows the third-party web page to keep control of and modify the display elements of web pages. The system of Narayen creates a "media container", such that the media container is produced by the system that receives the media objects. Narayen does not suggest the use of its system embedded in a third-party web site. The system of Narayen would be undesirable for use with third-party web sites since the third-party web site would need to interact with the system of Narayen in order to control the "media container". This reduces the design flexibility for the third-party web site.

Narayen and Netscape alone or in combination does not disclose, suggest or give a motivation for the embedding as claimed. For this reason, Claims 15 and 25 are believed

to be allowable. Dependent claims 2 - 6, 8 - 10, 13 and 36-38 are dependent upon Claim 15. Dependent claims 26 - 30 and 39-41 are dependent upon Claim 25. For these reasons and because of the additional limitations of these claims, these claims are believed to be allowable and such is respectfully requested.

Claim 16 reads as follows:

16.   A method comprising the steps of:

accessing a web site containing a media object identifier, the media object identifier including a graphical user interface for acquiring media objects;

associating a media object with the media object identifier; and

in response to the associating step, automatically pre-processing the media object for the requirements of a web site, the pre-processing including checking a file size of the media object and if the file size of the media object is larger than a predetermined maximum file size reducing the file size of the media object, the pre-processing being done without additional user input; and

associating the pre-processed media object with a web page of the web site.

Claim 31 reads as follows:

31.   Software comprising:

a media object identifier on a web site, the media object identifier including a graphical user interface for acquiring media objects, the media object identifier configured to allow the association of a media object with the media object identifier; the media object identifier configured, in response to an association of a media object with the media object identifier, to automatically pre-process the media object for the requirements of the web site, the pre-processing including checking a file size of the media object and if the file size of the media object is larger than a predetermined maximum file size reducing the file size of the media object, the pre-processing being done without additional user input.
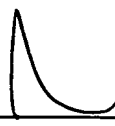
Claims 16 and 31 include the step of, in response to an association, automatically preprocessing the media object for requirements to the web site. The preprocessing including checking a file size of the media object and if the file size of the media object is larger than a predetermined maximum file size reducing the file size of the media object. Such a step is not shown or suggested or given a motivation for any of the cited references.

The reduction of the size of the media object below a predetermined maximum file size is advantageous for a number of web sites. For example, on the eBay web site, it is important that the digital images have a file size below a certain maximum size to aid in the downloading of web pages by bidders. For this reason, Claims 16 and 31 are believed to be allowable. Dependent Claims 17 - 24, 32 - 35 and 42-47 are dependent upon independent claims 16 and 31 and for that reason and because of the additional limitation of these claims are believed to be allowable.

Claims 2 - 6, 8 - 10, 13, 15 - 47 are in the present application. For the above-discussed reasons, these claims are believed to be allowable and such as respectfully requested.

Respectfully submitted,

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Date: September 24, 2002

MARKED-UP VERSION OF CLAIMS HEREIN AMENDED

2. (Twice Amended) The method of Claim [1] 15 [further comprising the steps of digitally processing the media object prior to transportation to the second location in at least one of the following ways] wherein the pre-processing includes one of the following steps:
Reducing the file size of the media object,
Compressing the media object for purposes of transportation,
Changing the file format of the media object,
Changing the aspect ratio or otherwise cropping the media object,
Adding text or other annotation to the media object,
Encoding or otherwise converting the media object,
Processing the media object in a manner that completely fills the media object identifier or maintains the aspect ratio of the media object within the media object identifier,
Changing the orientation or otherwise rotating the media object,
Combining (including stitching) of multiple media objects, or
Enhancing the image by changing its contrast or saturation values.

3. (Twice Amended) The methods of Claims [1] 15 or 2 wherein the media object is associated with the media object identifier by dragging a visual representation of the media object [from the first location] to the graphical user interface of the media object identifier [in the Web page].

4. (Twice Amended) The methods of Claims [1] 15 or 2 wherein the media object is associated with the media object identifier by browsing and selecting files [on the first location].

5. (Twice Amended) The methods of Claim [1] 15 or 2 wherein more than one media object is associated or processed simultaneously

6. (Twice Amended) The methods of Claim [1] 15 or 2 wherein more than one media object identifier is generated dynamically or generated from pre-set instructions.

8. (Amended) The method of Claim [7] 15 wherein the pre-processing includes reducing the size of the media object.

9. (Amended) The method of Claim [7] 15 wherein the pre-processing includes modifying the format of the media object.

10. (Amended) The method of Claim [7] 15 wherein the [web based media submission tool] media object identifier allows display of the media object in context on the web page.

13. (Amended) The method of Claim [7] 15 wherein the media object is a digital image.